

Secretary  
Federal Communications Commission  
Washington DC 20554

APP. 17 1995

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Reference: RM #8626

To amend Part 97 Rules, to eliminate certain one-way transmissions in the  
Amateur Radio Service Medium and High Frequency Bands

This is to register strong opposition to the proposal covered by the above Petition For Rulemaking, as submitted by Mr. F.O. Maia/W5YI through his counsel. As you will recall, this proposal recommends the elimination of specified 'one-way' information bulletins, and Morse Code practice, on frequencies below 30MHz.

Rationale for my opposition follows...

- (1) Mr. Maia believes that such transmissions develop an increased 'anger level' among some amateur radio operators, and leads to their effecting jamming and other malicious interference.

It is difficult to comprehend that elimination of such transmissions would necessarily result in such response being eliminated. There are better and more effective methods to eliminate such activity. I would contend that such practices, which reflect on the effecting operators would simply be displaced elsewhere.

- (2) Mr. Maia believes that such transmissions are of interest to only a small number of operators, and that such interest is at the expense of the many. As well, he indicates that such interference "tarnishes the reputation of the USA."

Nonsense! Increased Morse Code proficiency, and broader technical knowledge and information are the cornerstone and avowed objective of the amateur service. The graduated license structure reflects this. Conversely to Mr. Maia's position that such transmissions are for the benefit of the few at the expense of the many, it stands to reason that these types of transmissions are for the benefit of the many, and far outweigh the petulance of the few who do not want to see them effected or take advantage of the opportunities and benefits that they provide.

- (3) Mr. Maia states that alternative vehicles are available, such as commercial services like Compuserve (Prodigy, AOL, et al), and that Morse Code alternatives are available through computer software programs. This presupposes that such are available to all, a rather specious assumption. Conversely, one would think that the investments required for same would make amateur radio somewhat of an elitist hobby, if this proposal were to be effected. This seems incongruous with the Amateur Radio Service's avowed purpose, of developing increased proficiency, both at the technical level and with Morse Code (which is given as the best vehicle to effect communication under adverse conditions) over the broad spectrum of the American public. The increased economic investment that would be required if Mr. Maia's proposal were to be effected would seem to limit the spectrum to a narrower, and more economically advantaged, group.

- (4) Mr. Maia recommends that such transmissions be limited to above 30MHz. This presupposes that such frequencies would be available anywhere in the USA. Having lived and traveled in North Dakota and Montana, I can personally attest that such is not the case. In effect, Mr. Maia's proposal would result in some inequities to those in areas where such transmissions could not be received. Simply, this is not the principle on which this country was founded, that being equitable treatment and opportunity to all.

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- (5) The proposal is internally inconsistent in that it recommends only certain one-way transmissions. If it were to be effected, it would have to eliminate all such. This would include beacon transmissions and others. If Mr. Maia's recommendation is to eliminate only certain types of transmissions, one would have to conclude that personal judgments and considerations are affecting his proposal. It is known that Mr. Maia's occupation is dependent upon amateur radio. I would be interested in knowing if there might be any financial implications to and for him, if this recommendation were to be effected. It is noted that this proposal has been submitted by Mr. Maia "though his counsel." Legal counsel does not come free, and usually represents a substantial investment. One would think there would be the anticipation and implication of a future return somewhere.

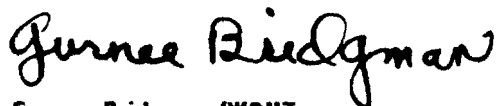
It appears that Mr. Maia's recommendation is based somewhat on some personal petulance, or with some other unstated purpose in mind. Moreover, even recognizing that there are a few "bad apples" that effect malicious interference, the overall loss from implementing this proposal would seem to more than offset the benefits generated by the current program. Rather than tarnishing the USA's reputation, the current program polishes it, not only in the USA but also throughout all of North America where the current bulletins and Morse Code practice transmissions can be easily received by the amateur radio community (especially those with the more common high-frequency equipment, than the less common VHF gear).

I would strongly urge that Mr. Maia's proposal *not* be implemented. If in fact there is malicious interference, it does not seem that the proposed change would effect any change in particular and personal bad habits to remedy same. Eliminating these specific transmissions to my mind would be "throwing the baby out with the bath water."

We need increased Morse Code proficiency. We need increased technical proficiency and knowledge. We need increased dissemination of information. Equally important, we need such to be available to the entire American amateur spectrum, and not just to a smaller limited number of economically advantaged (whatever that number might be). Continued use of these bulletins and code practice transmissions remains highly desirable.

With the above in mind I would urge that Mr. Maia's proposal to amend Part 97 rules to limiting one-way transmissions to above 30MHz be rejected forthwith.

Cordially,



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